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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,609	08/13/2001	Eric O. Bodnar	SF/0018.06	7909

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EXAMINER

FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 11/20/2002

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,609

Applicant(s)

BODNAR ET AL.

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

1. Claims 8 and 21-40 are canceled, by the preliminary amendment.

Claims 1-7 and 9-20 are remained pending for examination.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321© may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-7 and 9-20 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 8-19 of the present Application Serial Number 09/928,609. Although the conflicting claims are not identical, they not patentably distinct from each other because: claims 1, 4, and 7 recite the same only method claims instead of apparatus claims in the application file number 09/606,303 as claims 4, 10, and 16 respectively of the US Patent Number 6,275,831.

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The difference between claim 1 of the US No. 6,275,831, Patent and the claim 1 of the No. 09/928,609 application is follow as:

the patent claim 1, recites the steps of: a data processing environment, a method for synchronizing multiple data sets, the method comprising: establishing a data repository for facilitating synchronization of user information maintained among multiple data sets, said data repository storing user information from the data sets;

storing at least one mapping which specifies how user information may be transformed for storage at a given data set;

based on user information stored at said at least one data set and based on said at least one mapping, propagating to the data repository from each of at said at least one data set any changes made to the user information, to the extent that such changes can be reconciled with user information already present at said data repository;

based on user information stored at said data repository and based on said at least one mapping, propagating to each of said at least one data set any changes to the user information which have been propagated to the data repository, to the extent that such changes are not present at said each data set;

wherein a particular one of the data sets resides on a client device which is intermittently connected, and wherein said steps of propagating are deferred for the particular data set until the client device is actually connected.

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The application claim 1, recites the steps of: a data processing environment, a method for synchronizing multiple data sets, the method comprising: establishing a data repository for facilitating synchronization of user information maintained among multiple data sets, said data repository storing user information from the data sets;

storing at least one mapping which specifies how user information may be transformed for storage at a given data set;

based on user information stored at said at least one data set and based on said at least one mapping, propagating to the data repository from each of at said at least one data set any changes made to the user information, to the extent that such changes can be reconciled with user information already present at said data repository;

based on user information stored at said data repository and based on said at least one mapping, propagating to each of said at least one data set any changes to the user information which have been propagated to the data repository, to the extent that such changes are not present at said each data set.

The patent claimed wherein a particular one of the data sets resides on a client device which is intermittently connected, and wherein said steps of propagating are deferred for the particular data set until the client device is actually connected. Thus, the application claimed based on user information stored at said data repository and based on said at least one mapping, propagating to each of said at least one data set any changes to the user information which have been propagated would have been obvious to the patent claimed to delete steps 'wherein a

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particular one of the data sets resides on a client device which is intermittently connected, and wherein said steps of propagating are deferred for the particular data set until the client device is actually connected,' to provide methods which allow a user of information processing devices to synchronize user information (see Bodnar col. 3, lines 23-25).

Claims 1-7 and 9-20 of the present Application Serial Number 09/928,609 recite the same limitations as claims 1-7 and 8-19 respectively of the US Patent Number 6,275,831.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 (e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-7 and 9-20 are rejected under U.S.C. 102 (e) as being unpatentable over Boothby (US Pat. No. 5,684,990) ("Boothby").

As per claim 1, Boothby teaches a data processing environment, a method for synchronizing multiple data sets (thus, program that synchronize database, which is equivalent to synchronizing multiple data sets) (see, col. 1, lines 5-6) as claimed comprises establishing a data repository for facilitating synchronization of user information maintained among multiple data sets (thus, corresponding sets of records are chose from each of the two database and from the status file, which is equivalent to establishing a data repository for facilitating synchronization of

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user information maintained among multiple data sets) (see, col. 1, lines 25-27), said data repository storing user information from the data sets (thus, a user may enter the same new information into both the handheld and the desktop computer the synchronization program checks for this possibility in order to avoid duplication data, which is equivalent to storing user information from the data sets) (see, col. 4, lines 52-55);

storing at least one mapping which specifies how user information may be transformed for storage at a given data set (thus, action is taken at this point time because this desktop could eventually be replaced if an exact match is later found for this status file record, which is readable as storing at least one mapping which specifies how user information may be transformed for storage at a given data set) (see figure 4, cols. 6 and 7, lines 40-49 and 12-41);

based on user information stored at said at least one data set and based on said at least one mapping (see, col. 5, lines 20-23), propagating to the data repository from each of at said at least one data set any changes made to the user information, to the extent that such changes can be reconciled with user information already present at said data repository (see, col. 6, lines 44-49);

based on user information stored at said data repository and based on said at least one mapping, propagating to each of said at least one data set any changes to the user information which have been propagated to the data repository, to the extent that such changes are not present at said each data set (thus, the status file contains the data present in the two databases after the most recent synchronization, corresponding sets of records are chosen from each of the two databases and from the status file and a comparison is made of the information content of the

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records, based on that comparison, updating decisions are made for each set of records for example decisions are made whether to select the information content of one database record over the information content of the other and finally the selected information is written to the status file as well as the databases; which is readable as based on user information stored at said data repository and based on said at least one mapping, propagating to each of said at least one data set any changes to the user information which have been propagated to the data repository, to the extent that such changes are not present at said each data set) (see, column 3, lines 23-34).

As per claims 2 and 16, Boothby teaches a method wherein said step of propagating to the data repository comprises as claimed performing selected operations of adding, updating, and deleting information at the data repository, so that the data repository reflects changes made to user information at the data sets (see, col. 3, lines 46-50).

As per claims 3 and 17, Boothby teaches a method wherein said operation of deleting information as claimed comprises a logical delete operation of making information as having been deleted (see, figure 6, col. 8, lines 40-42).

As per claims 4 and 12, Boothby teaches a method wherein said data repository stores user information the is a super-set of all user information stored at said multiple data sets (see, col. 1, lines 9-25).

As per claims 5-6 and 13 Boothby teaches a method wherein one grand unification database is created for each type of user information which is to be synchronized (see, col. 3, lines 15-23).

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As per claim 7, Boothby teaches a method wherein said environment includes types of user information selected from contact, calendar, and task-oriented information (see, col. 4, lines 33-51).

As per claims 9 and 18, the limitations of claims 9 and 18 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claims 10 and 11, Boothby teaches a method wherein each mapping comprises a mapping table storing a plurality of mapping entries, each mapping entry storing at least a first identifier for indicating a particular data record in the data repository which the entry is associated with, and a second identifier for indicating a particular data record at a particular data set which is the source for the user information (see, cols. 4 and 5, lines 59-67 and 1-13). (also, see, column 8, lines 55-59).

As per claim 14, Boothby teaches a method wherein said particular information comprises a last-modified time stamp, derived at least in part from the client device where the associated user information was last modified (see, col. 8, lines 54-63).

As per claim 15, Boothby teaches a method wherein said particular information comprises a checksum value, for use with a data set residing at a client device that does not support time stamps (see, col. 3, lines 1-5).

As per claim 19, Boothby teaches a method wherein user information is stored at the data repository as unformatted blod data (see, col. 6, lines 19-31).

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As per claim 20, Boothby teaches a method as claimed further comprises providing at least one type module for facilitating interpretation of user information stored as unformatted blod data at the repository (where desktop status set to unchanged and then the partial match is run through the key field search again, which readable as unformatted blod data at the repository (see, cols. 7 and 8, lines 26-67 and 1-51).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bodnar et al. US Patent Number 6,275,831 relates to a system implementing methods for maintaining synchronization of disparate data sets among a variety of such devices, particularly synchronizing three or more devices at a time. Bell et al. US Patent Number 5,758,150 relates to the field of computer database systems. Bauer et al. US Patent Number 5,926,816 relates to the field of database synchronizer.

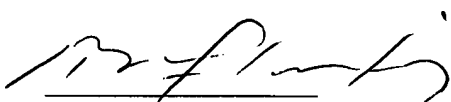
Conclusion

6. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mrs. KIM VU can be reached at (703) 305-8449. The FAX phone numbers for the Group 2100 Customer Service Center are: ***After Final*** (703) 746-7238, ***Official*** (703) 746-7239, and ***Non-Official*** (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "***DRAFT***".

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

November 15, 2002

JBF/


JEAN M. CORRIELUS
PRIMARY EXAMINER